



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS  
AND TRADEMARKS  
Washington, D.C. 20231

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**SEP 07 1999**

**SPECIAL PROGRAMS OFFICE  
DAC FOR PATENTS**

In re Application of  
Keith A. Snail, et al  
Application No.: Unknown  
Deposited: October 9, 1987  
Attorney Docket No. 70,840

**DECISION DISMISSING PETITION**

This is a decision on the petition under 37 CFR 1.181, filed May 21, 1999, for the Patent and Trademark Office (Office) to take action upon the above-referenced application.

The petition is **dismissed**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mailing date of this decision in order to be considered timely. 37 CFR 1.181(f). The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.181" and copies of all papers requested in the body of this decision.

Petitioners seek action by the Office on the above-referenced application. As an attachment to the instant petition and as petitioners' proof that the application was received by the Office, petitioners have provided a copy of the returned postcard receipt for this application with a date stamp by the United States Patent and Trademark Mail Room of October 9, 1987.<sup>1</sup> Based upon the information on the postcard receipt, petitioners request that the Office "immediately inform Applicants of the status of this application, and examine this application immediately, in accordance with the law."

On August 9, 1999, in a telephone communication between counsel Edward Miles and Karen Canaan, Petitions Attorney and later between Mr. Miles and Fred A. Silverberg, Senior Legal Advisor, copies of the application papers submitted on October 9, 1987 were requested. In response to these requests, petitioners requested that the Office mail a communication to petitioners formally requesting copies of all the papers submitted on October 9, 1987.

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<sup>1</sup> This return postcard receipt was incorrectly referred to as a "filing receipt" in the instant petition.

It is noted that after a review of the Office records, the subject application papers cannot be located. Therefore, copies of all the papers submitted on October 9, 1987 need to be submitted.

With regard to petitioners' request for immediate examination of this application, petitioner is informed that an examination of this case cannot be made until the copies of the papers referenced in the post-card receipt are received by the Office.

In addition to the foregoing, petitioners also makes reference to "two status inquiries" which were filed for this application. No copies of these status inquiries have been submitted with the petition. Further, no copies of the status inquiries can be located among other records. Accordingly, the Office also requests that petitioners provide copies of these two status inquiries with any renewed petition as well as the stamped postcard receipts for these status inquiries.

Petitioners should address the timeliness issue of 37 CFR 1.181(f) when responding to this decision.

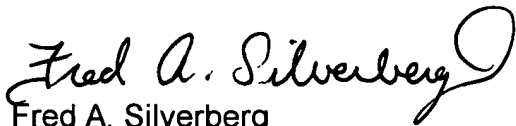
Further correspondence with respect to this matter should be addressed as follows:

By mail: Assistant Commissioner for Patents  
Box DAC  
Washington, DC 20231

By FAX: (703) 308-6916  
Attn: Karen Canaan  
Office of Petitions

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Telephone inquiries concerning this matter should be directed to Petitions Attorney Karen Canaan at (703) 306-3313.

  
Fred A. Silverberg  
Senior Legal Advisor  
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